

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

DADDY’S HOUSE RECORDS, INC.,

Plaintiff,

-against-

BAD BOY ENTERTAINMENT HOLDINGS,
INC., et al.,

Defendants.

1:24-CV-8102 (LTS)

ORDER OF DISMISSAL
UNDER 28 U.S.C. § 1651

LAURA TAYLOR SWAIN, Chief United States District Judge:

Robert W. Johnson brings this action on behalf of Daddy’s House Records, Inc. (“Daddy’s House”). He has signed the complaint, seemingly indicating that he is an attorney. (ECF 1, at 4-5.) More importantly, however, he has filed an *in forma pauperis* (“IFP”) application that seems to attest to his own financial situation, and not that of Daddy’s House. (ECF 2.)

Robert W. Johnson does not provide sufficient information to show that he is an attorney¹; he appears to be a non-attorney *pro se* litigant. Thus, he cannot assert claims on behalf of any corporation, including Daddy’s House. *See Rowland v. Cal. Men’s Colony, Unit II Men’s Advisory Council*, 506 U.S. 194, 201-03 (1993); *United States ex rel. Mergent Servs. v. Flaherty*, 540 F.3d 89, 92 (2d Cir. 2008); *Iannaccone v. Law*, 142 F.3d 553, 558 (2d Cir. 1998). The Court must, therefore, dismiss without prejudice any claims that Robert W. Johnson asserts on behalf of Daddy’s House.

¹ In the complaint, Robert W. Johnson, in addition to attaching the title “Esq.” to his name, indicates that his bar number is “999999.” (ECF 1, at 4-5.) No attorney named Robert W. Johnson and assigned that bar number, however, is admitted to the bar of this court or to any of the bars of the States that comprise the Second Circuit.

In addition, in an order dated July 10, 2020, the court barred Robert W. Johnson from filing future civil actions in this court IFP without first obtaining from the court leave to file. *See Johnson v. O'Hagan Wolfe*, ECF 1:19-CV-7337, 8 (S.D.N.Y. July 10, 2020), *appeal dismissed*, No. 21-299 (2d Cir. July 15, 2021). Robert W. Johnson files this new *pro se* civil action in this court and seeks IFP status, but he has not sought leave from the court to file this action. The Court therefore additionally dismisses without prejudice this action due to Robert W. Johnson's failure to comply with the court's July 10, 2020 order in *Johnson*, 1:19-CV-7337.

The Court certifies, pursuant to 28 U.S.C. § 1915(a)(3), that any appeal from this order would not be taken in good faith and, therefore, IFP status is denied for the purpose of an appeal. *See Coppedge v. United States*, 369 U.S. 438, 444-45 (1962).

The Court directs the Clerk of Court to enter a judgment dismissing this action for the reasons set forth in this order.

SO ORDERED.

Dated: March 10, 2025
New York, New York

/s/ Laura Taylor Swain

LAURA TAYLOR SWAIN
Chief United States District Judge